

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

FILED  
U.S. DISTRICT COURT  
DISTRICT OF NEBRASKA  
2023 JAN 18 PM 12:05

OFFICE OF THE CLERK

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DONALD FOX,

Defendant.

4:23CR 3003

INDICTMENT  
29 U.S.C. § 501(c)  
29 U.S.C. § 439(b)

The Grand Jury charges that

COUNT I

Between on or about February 20, 2016, and on or about August 14, 2021 in the District of Nebraska the defendant DONALD FOX, while an officer, that is, Secretary-Treasurer, of the National Association of Letter Carriers (NALC) Branch 1836, a labor organization engaged in an industry affecting commerce, did embezzle, steal and unlawfully and willfully abstract and convert to his own use, and the use of another, the moneys, funds, securities, property, and other assets of said labor organization in the approximate amount of \$24,620.12, in violation of Title 29, United States Code, Section 501(c).

COUNT II

At all times material to this Indictment the National Association of Letter Carriers, Branch 1836, (NALC) was a labor organization engaged in an industry affecting commerce and subject to the Labor Management Reporting and Disclosure Act of 1959, 29 U.S.C. § 401, et seq.

That on or about March 20, 2017, in the District of Nebraska, the defendant DONALD FOX did make a false statement and representation of material fact knowing it to be false, and did knowingly fail to disclose a material fact, in a report and document required to be filed by NALC with the Secretary of Labor pursuant to Section 431 of Title 29, United States Code,

that is, the annual financial report form LM-4 for the union's fiscal year ending on December 31, 2016.

All in violation of Title 29, United States Code, Section 439(b).

### COUNT III

At all times material to this Indictment National Association of Letter Carriers, Branch 1836, (NALC) was a labor organization engaged in an industry affecting commerce and subject to the Labor Management Reporting and Disclosure Act of 1959, 29 U.S.C. § 401, et seq.

That on or about March 30, 2018, in the District of Nebraska, the defendant DONALD FOX did make a false statement and representation of material fact knowing it to be false, and did knowingly fail to disclose a material fact, in a report and document required to be filed by NALC with the Secretary of Labor pursuant to Section 431 of Title 29, United States Code, that is, the annual financial report form LM-4 for the union's fiscal year ending on December 31, 2017.

All in violation of Title 29, United States Code, Section 439(b).

### COUNT IV

At all times material to this Indictment National Association of Letter Carriers, Branch 1836, (NALC) was a labor organization engaged in an industry affecting commerce and subject to the Labor Management Reporting and Disclosure Act of 1959, 29 U.S.C. § 401, et seq.

That on or about September 10, 2019, in the District of Nebraska, the defendant DONALD FOX did make a false statement and representation of material fact knowing it to be false, and did knowingly fail to disclose a material fact, in a report and document required to be filed by NALC with the Secretary of Labor pursuant to Section 431 of Title 29, United States Code, that is, the annual financial report form LM-4 for the union's fiscal year ending on December 31, 2018.

All in violation of Title 29, United States Code, Section 439(b).

COUNT V

At all times material to this Indictment National Association of Letter Carriers, Branch 1836, (NALC) was a labor organization engaged in an industry affecting commerce and subject to the Labor Management Reporting and Disclosure Act of 1959, 29 U.S.C. § 401, et seq.


That on or about March 31, 2020, in the District of Nebraska, the defendant DONALD FOX did make a false statement and representation of material fact knowing it to be false, and did knowingly fail to disclose a material fact, in a report and document required to be filed by NALC with the Secretary of Labor pursuant to Section 431 of Title 29, United States Code, that is, the annual financial report form LM-4 for the union's fiscal year ending on December 31, 2019.

All in violation of Title 29, United States Code, Section 439(b).

A TRUE BILL.     /     /     /

FOREPERSON \_\_\_\_\_

The United States of America requests that trial of this case be held in Lincoln, Nebraska, pursuant to the rules of this Court.



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DANIEL PACKARD, #21991  
Assistant U.S. Attorney